

The Leesburg Tree Commission met in regular session on Monday, June 18, 2001 at 7:30 p.m. in the lower level meeting room, 25 West Market Street, Leesburg, Virginia. Members present were: J. Groothuis, A. Wall, J. Hicks, W. Wolf, E. Hower and K. Pritchard. Absent was: R. Peterson and B. Zoldos. Jay Banks represented staff.

MINUTES

Commissioner Hicks made a motion to approve the minutes of May 21, 2001 with minor changes.

Motion: Pritchard
Second: Wall
Carried: 5-0

PUBLIC COMMENT

A guest, Mr. Mike Rich of Edwards Ferry Rd introduced himself. Mr. Rich wants to propose that we look at the trees bordering the proposed development an office building on Edwards Ferry Rd facing Catoctin Circle. Want to propose that the office building be moved closer to the street away from the tree line, so that there is no need to cut down the trees and replace them with new ones.

Mr. Eugene Estinto of 319 Edwards Ferry Rd. wants to request a 25 foot buffer zone so that the developer will not cut down the trees in the buffer zone.

Ms. Judy Dorsett of 315 Edwards Ferry Rd. house was built in the 40's and she would like to see the neighborhood stay the way that it is.

Ms. Mary Tomblen of 315 Edwards Ferry Rd. has a 25 foot maple tree that she would not like turn down and have to wait years for new trees to grow when the tree there is perfectly fine.

Ms. Becky Lower of 317 Edwards Ferry Rd. moved in to her home in January knowing that the commercial building was going to be built but thought that the trees would block the view of that building.

Ms. Sally Rich and Mr. Mike Rich of 313 Edwards Ferry Rd. Have been in the house since 1946 and have put a lot of money into preserving the tree in the back of their house which is 13 ½ feet out from the property line and 20 feet in from the property line of the building they do understand if the tree has to be cut down it is not on their property. It is a national division and believes that all the trees can't stay but should pick out the best ones and keep those trees.

Wayne Henderson of 312 Edwards Ferry Rd. the trees don't belong to us they belong to the Town of Leesburg they are part of the system they are just as important as the

schools, roads, stops signs and street, they clean the air and help clean the water, what the want to do is put in a swell to run the water through into the drainage system, but the trees stop the water and soak it up they come natural and we need to preserve them for the future.

Mr. Banks was asked to describe the property site. It will be a by right use property with B-2 zoning. Proposed as an office building three stores tall with a 25 foot buffer zone in the back. The building will be built to the rear with parking in the front and on the sides. The buffer is an S-3, but the builder is not required to save any established vegetation, but could utilize the existent vegetation to meet some of their canopy requirements. The design firm has submitted his proposal not selected any trees to be saved in the heavily wooded area. A control fetcher a swell to control drainage so water is not pushed onto adjoining properties, so a major portion will be graded. There is no action required by the planning commission but they will have the project in front of them for public comments.

Commissioner Hicks stated that the developmental mentality of Loudoun County is to tear down what is there and replant small trees. Suggested that people should go to the Planning Commission to express their concerns, and contact individual council members to express concerns.

Sally Rich stated that her and her husband meet with the developer Brian Burke for a couple of hours one evening. They talked about the trees behind their house he said he would not save the two large trees behind their house because the dirt line is to far into the property line, but asked that he would think about saving some of the trees. Brian Burke developer said he was interested in what Jay had to say. Mr. Burke said he would save the hemlocks behind their house, but when Sally and Jay looked at the planes by Gordon and Associates it did not look like they had been on planes. Jay said they where not on the planes. Mr. Burke has taken down some other trees, but he did leave some trees down toward Catoctin Cir. near the parking lot. Coming across Giant he will put up a retaining wall and come toward the houses with parking.

Mr. Banks stated that the Planning staff has not finished their comments, and is negotiating with the design firm. It has been suggested to them to reconsider their design. Their proposal is not looking at saving the trees, but to build the office building.

Commissioner ? stated that we have been fighting to save neighborhoods for about 20 years now. We have had to argue with builders who thought they had a by right uses also, but really found out that we had rights. It seems like neighborhood in Leesburg have to fight their own battles. What we need to do as a community is to speak more as one voice. The Town Plan has not been change since 1997 the wording in this and the Zoning Ordinance sound like there from another planet.

Commissioner Wall suggested that the people need to speak up and make some noise. People need to contact their council men let them know you are out there.

Commissioner Pritchard stated that people need to realize the commission recommends to the Town Council that it has no power, but we recommend saving the trees. We do it in several ways like changing the Zoning laws, but we can only recommend. You may not save any trees, or the trees may die, but you have made your statement.

Commissioner Hicks suggested that the people split up some call planning Commissioners and some call Council Men, and show up in force at the meetings. Commissioner Pritchard stated that the people should focus on the erosion angle and the water quality in the run off that will have an impact on the planning commission.

Commissioner Hicks suggested that some interested people would like to go to the EAC Meeting on Wednesday night because they are like a sister group to the Tree Commission. We are involved in trees, and they are concerned with the environment in general and very concerned about water quality.

Mr. Banks stated that the Zoning Ordinance is being re-written with a consultant from pg one to the end, but with the Tree Commission and my self has rewritten the regulations concerning landscaping, screening, and buffering two years ago is currently ready to be adopted. Instead of doing the whole Zoning Ordinance all at once they are going to do it by sections that are ready to be adopted and will move forward, this section will be the first section to move forward. I have specific recommendation to increase preservation and offering more incentive and tolls in place to preserve the trees. If you want to know about a project that is being looked at you can come by the Planning Department and look at the Managers Report to see where it is in the pipeline. Over 60% have small contingent tree preservation that I am fighting everyday. In addition take a look at the projects that are out there like the Edwards Landings, and Kincaid Forest all of these projects have moved forward and have active viable tree preservation components in them they weren't before, but hopefully we have moved it forward and the tree preservations are working. In the three and half years that I have been here the projects that have come into the Town have instated a hire level of tree preservation but where you where seeing plastic fencing rolled up against the tree it was saving you are now seeing welded wire fencing, steal T posts, signs, and we have meetings with the developer before equipment is moved onto the site. In the preconstruction meetings we lay out the steps they need to take.

Commissioner Hower stated he is the only charter member left on the Tree Commission. The Tree Commission was started six to ten years to late for the damage that was already done in Leesburg. At the Memphis Barbecue place there used to be tree there when Lafayette visited it was wiped out just because it did not fit the design it was eating up too much of the parking lot. They're where trees like that all over town and some cases they referred to them as heritage trees. Don't stop at this level you go on to Planning Commission members keep in mind that under to new administration all the commissioners had to resign and where reappointed by designated council members so now there is this link which does not heart you get a two for one deal so when you are driving your point to the planning commissioner find out who that persons council member is and the same thing goes for the Tree Commission we all have representatives.

Commissioner Hicks made a motion to write a letter to Planning Department and a copy to Town Council to ask the builder to preserve as many trees as possible.

Motion: Hicks

Second: Wolf

Carried: 5-0

Sally Rich stated that all of them are actively working to prevent the four-store walk up Apartment building being built behind Giant Food. We turned out in numbers of fifty in the work meeting we had with the developer. The trees coming up on Edwards Ferry Rd by the next twelve houses are just as important. This could really shake are property values that is not the thing, but these are are homes. It is a beautiful street it is certainly one of the streets that Leesburg would want to keep. If you let all the trees go at the opposite end and those houses start falling there would be a potential are street could go commercial one by one. It is important to the Town I want us to hold onto are residential areas.

OLD AND NEW BUSINESS

Mr. Banks stated that June 7th was the cut off date for the budget. Arbor Day came in after the cut off date so it will come from next years budget. The trees where ordered for the Britering Buffer in the amount of 3,000.00. Got 180.00 dollars for the brochures.

The motion was made to get a letter to the Planning Department to go into the folder for the Edwards Ferry Office building project. With copy of the letter to the Town Council.

Commissioner Hicks stated that he will bring this issue of the trees up with the EAC.

Mr. Banks stated that the project is still in house and is a by right use it will progress along. There will be public comment in front of the Planning Commission. The Planning Commission can make strong recommendations to the developer to preserve trees and redesign. What you are talking about is serious dollars to redesign and run off on a project that is in house. The planning commission can't make conditions of approval but can make recommendations from the commission. The letter will go to the Commission in the projects packet.

Commissioner Wall stated that any letter that goes out of the Commission should go to the Town Council so that they know you are still alive.

Commissioner Wolf stated that the trees on the backside should be saved.

Commissioner Hicks stated that the trees in the buffer zone ever effort should be retained to save those trees.

Mr. Banks stated that the buffer area will be graded for drainage.

Commissioner Wall stated if these trees are in the back of the property has to be graded for drainage then the big trees aren't going to be there. Mr. Banks stated that not entire length will not be graded. So some of the trees could be saved.

Commissioner Hicks stated that is what are motion is to make every effort to preserve as many trees in the landscaping buffer. We want the Town Planning Department to pursue that avenue they are already pursuing it but we it to be on record requesting that they take a more earnest look at it take a second or third look at it.

Mr. Banks stated if a tree is designated on a plan to be saved then those steps need to be taken and illustrated on the plan but right now there is a big ex's in it. The method of what they need to do back there stops the property line. What we are going to recommend is for them to extend their tree preservation so they will minimize impact off site. If they want to save the trees with in the site they will have to readjust that save area to accommodate the drip line. As they are proposing they are only a few trees at the eastern end they are going to save with a limited amount of tree protection.

Commissioner Hicks asked if we could get the Town to give any on there requirements for the twenty-five feet in the front if saving some of the trees in the back. Mr. Banks stated that they could design the site differently but they chouse to max the site out. They have a certain amount of square footage for the building and an ex's number of parking spaces, making the building smaller would mean less parking spaces. They could mover the building forward.

Commissioner Hower stated that the people had a lot of good comments this was just on stop they have to go to the EAC, Council members, Council workshops, Planning Commission, and any time there is public comments. They need to get on the horn go to the meetings show them what they are looking at.

The letter needs to be done by the 28th. Can't go past July 6 after that they could be cutting down trees on the 7th. Letter will be done thru e-mail.

Commissioner Hicks stated that he was not sure if this guy on Laffety Dr. is expecting us to help or if he just thought that we should know. It would be a major mistake if we did not respond to him. We should send him a letter telling him we appreciate his concerns however this in out of are preview of this commission and outside of the Town of Leesburg control this is the utility that runs it. So that there is no misunderstanding that the Town was suppose to do something to save his trees.

Commissioner Groothuis suggested that the commission take a look at the property and discuss it at the next meeting as old business.

Mr. Banks stated that there is an easement established with a ten foot clearance from the wine to the structure. Usually they make unsightly cuts so they have to put it further back to make correction cuts. I will be meeting with the utility forester when she can decide when she wants to meet and with her regional forester and the mayor of Leesburg.

COMMISSIONER'S COMMENTS

Commissioner Hower stated this is a project that is part of a tree preservation area by the developer. We all know what can happen when someone buys the property. The neighbor took out five of his neighbor's trees, but they came to an agreement that the neighbor would pay for some trees to be put back in, some oaks and maples.

Commissioner Wall stated that she enjoyed her time on the Tree Commission and has learned a lot. She hopes the Tree Commission continues to grow and prosper and do good things. I hope the Commission will continue representing the citizens and not the administration and to get things moving to keep the trees.

There being no further business, the Tree Commission adjourned at 8:50 p.m.

Jay Banks, Town Arborist